



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sala *et al.*

Appl. No. 09/783,404

Filed: February 15, 2001

For: **Method, System and Computer
Program Product for Scheduling
Upstream Communications**

Confirmation No.: 4785

Art Unit: 2663

Examiner: Chau T. Nguyen

Atty. Docket: 1875.0440002

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Preliminary Amendment Under 37 C.F.R. § 1.115

Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.115, Applicants submit the following Preliminary Amendment. Please enter this Preliminary Amendment prior to examination. This Amendment is provided in the following format:

(A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;

(B) Starting on a separate page, appropriate remarks and arguments.

37 C.F.R. § 1.121 and MPEP § 714; and

(C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."



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August 7, 2002

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Art Unit 4785

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/783,404; Filed: February 15, 2001
For: **Method, System and Computer Program Product for Scheduling
Upstream Communications**
Inventors: Sala *et al.*
Our Ref: 1875.0440002

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Preliminary Amendment Under 37 C.F.R. § 1.115; and
2. One (1) Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
August 7, 2002
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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KPP/dnk
Enclosures

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SKGF Rev. 2/15/02 dcw